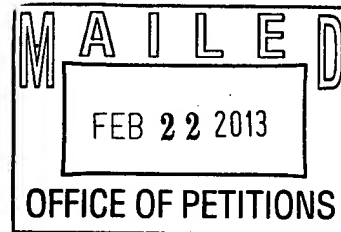




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In re Patent No. 6,494,460 :
Issue Date: December 17, 2002 :
Application No. 09/750,624 : ON PETITION
Filed: December 26, 2000 :
Attorney Docket No. **860-20-008** :

This is a decision on the renewed petition under 37 CFR 1.378(c), filed August 1, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent.

This patent expired at midnight December 17, 2010, for failure to pay the 7½ year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

The petition is **GRANTED**.

There is no indication that the petition is signed by a registered patent attorney or patent agent of record. However, in accordance with 37 CFR 1.34, the signature of Reid Dammann appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. If, Reid Dammann desires to receive correspondence regarding this file, the appropriate power of attorney documents must be submitted. A courtesy copy of this decision is being mailed to Reid Dammann, the petitioner herein. However, until otherwise instructed, all future correspondence regarding this application file will be directed solely to the above-noted correspondence address of record

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless

previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks item (3) above.

A Declaration from Sarah Lee-Ling Uth the patent owner explaining the delay for the payment of the maintenance fee and the delay in filing a renewed petition from the decision of November 21, 2011. However, 37 CFR 1.378(c) requires a statement that "the delay in payment of the maintenance fee was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.378(c)(3), the statement will be construed as the statement required by 37 CFR 1.378(c)(3). If this is an incorrect reading of the statement appearing in the petition, petitioner must promptly notify the Office.

Petitioner will not receive future correspondence related to maintenance fees for the patent unless a "Fee Address" Indication Form (see PTO/SB/47) and Request for Customer Number (see PTO/SB/125) are submitted.

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at (571) 272-4584.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

cc: Musick Peeler LLP
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